

1:24 MJ 4167

**AFFIDAVIT OF ERIC M. TOOLE**

I, Eric M. Toole, being first duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been for approximately 24 years and am currently assigned to the Cleveland Division. Prior to assignment to the Cleveland Division in August of 2012, I served as a Special Agent in the Boston Division and worked on Violent Crime, Criminal Enterprise/Drug Organization and Counterterrorism Squads since October of 2000. In the Cleveland Division, I am assigned to Squad 11, the Violent Crimes Task Force (“VCTF”), which is comprised of personnel from the FBI, the Cuyahoga County Sheriff’s Department, Cleveland and Cleveland Heights Police Departments and United States Postal Inspection Service and Cuyahoga County Adult Parole. My primary duties as a member of the VCTF include the investigation of violent crimes, including Bank Robbery, Hobbs Act Robbery, Extortion, and Threats, all in violation of Title 18 of the United States Code.

2. I am aware that 18 U.S.C. 1951, that is Hobbs Act Robbery, makes it a crime to in any way or degree obstruct, delay, or affect interstate commerce or the movement of any article or commodity in interstate commerce, by robbery or extortion or attempt to or conspire to do so, or to commit or threaten physical violence to any person or property in furtherance of a plan or purpose to violate this section. A violation of 18 U.S.C. 1951 carries a penalty of up to twenty years of imprisonment. Additionally, I am aware that 18 U.S.C. § 924(c)(1)(A)(ii), that is Brandishing a Firearm in Furtherance of a Crime of Violence, prohibits using and branding a firearm during a crime of violence, and carries a penalty of a mandatory minimum term of imprisonment

of seven years. Finally, I am aware that 18 U.S.C. § 2119(a), Carjacking, makes it a crime to take a motor vehicle that has been transported, shipped, or received in interstate or foreign commerce, by force, violence, or intimidation, with the intent to cause death or serious physical harm, or the attempt to do so, and carries a penalty of up to fifteen years imprisonment. Having so said, I submit this affidavit in support of a criminal complaint charging CHRISTION YARNELL SIMS, date of birth is 03/xx/2001, and whose last known address was xx65 East 85<sup>th</sup> Street, Cleveland, Ohio with robbing, carjacking and brandishing a firearm at two Vantage Technical Services (VTS) employees while they were servicing the Automated Teller Machines (“ATM”) located at Lucky’s Quick Stop, 1082 East 105<sup>th</sup> Street, Cleveland, Ohio on July 29, 2024, at approximately 4:45 p.m.

3. The statements contained in this affidavit are based on my own first-hand involvement in the investigation described herein, as well as upon my review of relevant police and investigative reports and my discussion with other law enforcement officers, federal, state, and local, involved in the investigation. I have not included each fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish the probable cause to support issuance of the requested complaint.

4. On July 29, 2024, three Unknown Black Male Subjects (UNSUBS) robbed, carjacked, and brandished firearms at two Vantage Technical Services (“VTS”) employees as they exited Lucky’s Quick Stop (“Lucky’s”), a retail establishment, located at 1082 E105th Street, Cleveland, Ohio.

5. VTS is owned by Brinks. VTS and Brinks are privately insured and the proceeds they carry are not insured by the Federal Deposit Insurance Corporation

(“FDIC”). Brinks purchased VTS to handle the servicing of ATMs in retail establishments throughout the United States. The U.S. currency that VTS and Brinks transport and use in service of the ATMs travel in and affect interstate commerce.

6. On July 29, 2024, at approximately 4:31 p.m., VTS employees arrived at Lucky’s and backed their white VTS van (“van”) into a spot in preparation to service the ATM inside. The van is the size of a sprinter van and is not fitted with bullet resistant armor. The van is equipped with internal and external video and has a locking/unlocking mechanism that is controlled by the driver. The driver must enter the van first to unlock/allow the passenger door to open. While the two VTS employees were servicing the ATM inside Lucky’s, a black Dodge Durango (“Durango”) (later determined to be stolen) backed into the vacant spot adjacent to the VTS van. Both the van and the Durango were backed into their respective spots and faced the gasoline pumps at Lucky’s.

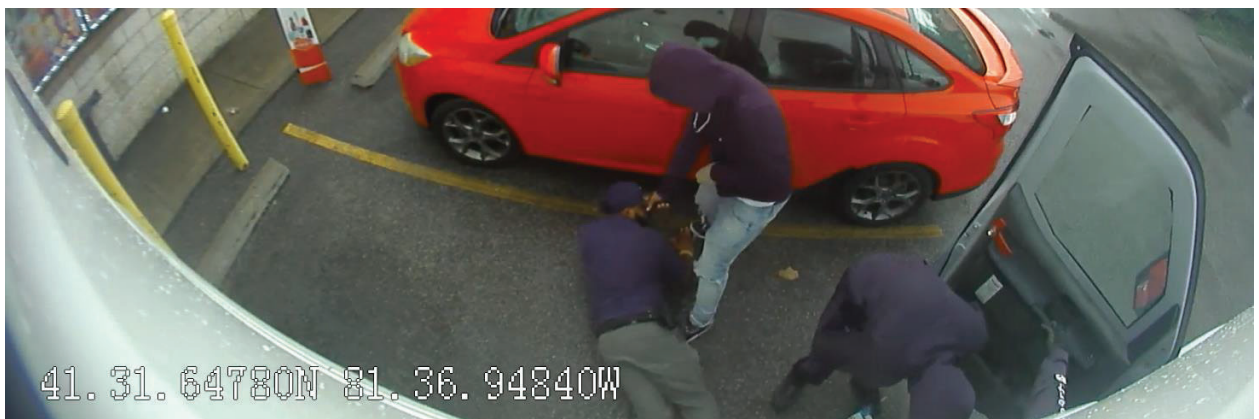
7. The Durango was captured on Lucky’s surveillance video as being black, with dark tinted windows and a sunroof, a wire dangling from the rear trailer hitch and scratches/damage to the driver side door/quarter panel section. The Durango also had no license plate.

8. On July 29, 2024, at approximately 4:45 p.m., and after servicing the ATM with United States currency (“cash”), the two VTS employees exited Lucky’s and were confronted by three-armed UNSUBs. The three-armed UNSUBs wore dark hoodies, face coverings and gloves. The three-armed UNSUBs exited all doors of the Durango, except the driver’s door, all brandishing pistols. A fourth UNSUB, the driver of the Durango, remained inside the Durango during the commission of the robbery. The three-armed UNSUBs quickly disarmed both VTS employees of their service weapons as

the VTS employees attempted to enter the van from both the driver and passenger side doors, respectively. The three-armed UNSUBS told the two VTS employees that they would shoot them if they did not comply with their demands.

9. The lone UNSUB who confronted VTS employee on the passenger side of the van ordered him to back away after taking his firearm. This UNSUB, now armed with two pistols, crawled over the passenger seat and into the driver seat of the van. The VTS employee complied with the demands of the UNSUB and backed up against Lucky's exterior wall with his hands in the air.

10. The two UNSUBs who confronted VTS employee on the driver side of the van ordered him to lay prone on the pavement, after taking his firearm. These same two UNSUBs took several blue Brinks bags that contained cash from inside the van. Surveillance footage captured one of these two UNSUBS pressing his pistol into the VTS employee's back and head as he lay prone on the pavement threatening to shoot him if he did not comply (see picture immediately below). These two UNSUBS then ran back to the awaiting Durango and entered the passenger front door and driver side rear door. The lone UNSUB driving the van nearly drove over the legs of the VTS employee who was ordered prone in between the front and rear wheels on the pavement as he made the getaway.



11. The van, now driven by one UNSUB and the Durango, occupied by three UNSUBS, sped off through Lucky's parking lot and travelled West on Somerset Avenue, North onto East 99<sup>th</sup> Street and West onto Parkgate Avenue, in Cleveland, Ohio. The van came to a stop on the side of the street in front of 9802 Parkgate Avenue, Cleveland, Ohio (approximately 1/4 mile from the robbery location at Lucky's). The Durango stopped behind the van on Parkgate Avenue and the UNSUBS thereafter emptied the cash contents from inside the van. After emptying the van of cash, the UNSUBS abandoned the van and entered the waiting black Durango. The Durango then sped off travelling West on Parkgate Avenue towards Martin Luther King Boulevard.

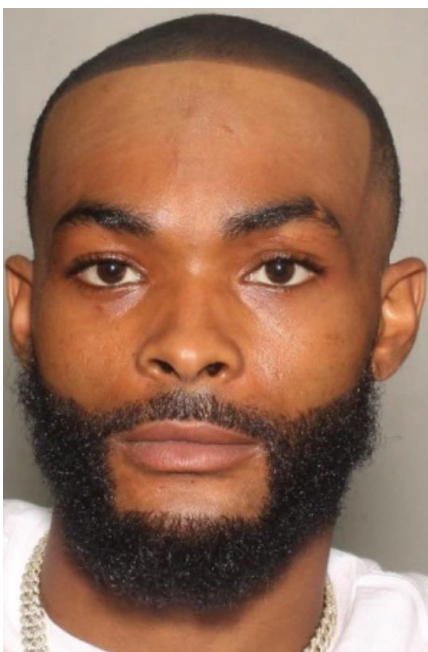
12. After the robbery, VTS and Brinks management conducted a loss audit and reported the loss as a result from this robbery as being \$333,300.00 in five-, ten- and twenty-dollar denominations in both banded and unbanded money.

13. The van was towed to Cleveland Police Department ("CPD") Lot 2, 4300 Bradley Road, Cleveland, Ohio, where it was processed and thereafter returned to VTS.

14. Surveillance footage from the van, both internal and external, was recovered from VTS management. This footage was compared to other area surveillance footage for July 29, 2024, prior to the time of robbery. Comparison of this footage revealed that the Durango was following the van and two VTS employees as they conducted their delivery route prior to the robbery at Lucky's. Further review of the van's internal cameras captured one of the UNSUBS as having a distinctive scar in his left eyebrow as he looted the van of cash contents (see photo below). It should be noted that the van video shoots/records in "mirror image" in that the footage is displayed as if you are looking at it in a mirror where the right and left sides of an image are flipped.



15. A review of OHLEG (OBMV driver license) search for CHRISTION SIMS depicts that he has a left eyebrow scar that is like the scar captured on one of the UNSUBs in the van. The OHLEG photo attached below of CHRISTION SIMS was taken on July 31, 2024, just two days after the robbery at Lucky's.





15. On July 29, 2024, at approximately 6:00 p.m. (approximately one hour and fifteen minutes after the VTS robbery), CPD Dispatch received a call for a black Dodge Sport Utility Vehicle on fire in the parking lot behind an apartment complex at 18050 Lakeshore Boulevard, Cleveland, Ohio. Cleveland Fire Department was dispatched and extinguished the fire.

16. Your Affiant responded to this location and identified this vehicle as being the same Durango that was used in this robbery. This identification was based on a comparison of the distinctive features of the Durango involved in the robbery and the Durango on scene of the attempted arson. The Durango was towed to FBI garage for storage and processing. The rightful owner of the Durango was contacted and identified this vehicle as being his/her vehicle that was reported stolen from his/her residence on July 18, 2024, as documented in CPD report 2024-00207268. Your Affiant met with the owner of the stolen Dodge Durango and obtained written consent to search.

17. On July 30, 2024, the FBI Cleveland Evidence Response Team (“ERT”) conducted a physical and forensic search of this Durango. ERT recovered physical evidence that did not belong to the rightful owner. A search of the Durango’s infotainment system identified several iPhone serial numbers and Bluetooth addresses that attached to this vehicle’s infotainment system from July 18, 2024 (the date of the theft of the vehicle) through July 29, 2024 (the date of robbery and attempted arson).

18. On August 30, 2024, Apple Incorporated law enforcement relations group was served a court order requesting further information regarding several iPhone serial numbers and Bluetooth addresses that attached to the Durango’s vehicle infotainment system from July 18, 2024, through July 29, 2024.

19. On September 9, 2024, Apple Incorporated law enforcement relations group returned service of this court order. Further analysis of this information revealed that four iPhones that attached/synced to the Durango on July 29, 2024 (the day of the robbery). One of the cell phones that attached to the Durango on the day of the robbery is registered to iCloud account named [Motivatedbymoney93@iCloud.com](mailto:Motivatedbymoney93@iCloud.com).

20. On September 9, 2024, Apple Incorporated law enforcement relations group was served a search warrant for additional information as related to [Motivatedbymoney93@iCloud.com](mailto:Motivatedbymoney93@iCloud.com), as well as other addresses of interest in this investigation. Further legal process identified a phone attached to the iCloud account [Motivatedbymoney93@iCloud.com](mailto:Motivatedbymoney93@iCloud.com), as utilizing cell phone number: 404-849-7477.

21. Comparison of data received from the above-described legal process to the data collected from the Durango's infotainment system was conducted. Below are the results.

22. On July 17, 2024, at approximately 9:41 p.m., a review of the Durango's infotainment system revealed that the Durango's odometer stopped recording and began recording again on July 18, 2024, at 3:57 a.m. This information was compared to the police report and confirmed that the Durango was parked at approximately 9:30 p.m. on July 17, 2024, by the rightful owner, who then went inside for the evening. When he/she came out the following morning (July 18, 2024), he/she discovered the Durango was stolen.

23. On July 18, 2024, at 4:24 a.m., comparison of data from legal process to the data collected from the Durango's infotainment system revealed a cell phone using the moniker "Paid's iPhone," bearing serial number G6TFDoPHoFoo, connected to the Durango. This serial number is registered to iCloud account



[motivatedbymoney93@iCloud.com](mailto:motivatedbymoney93@iCloud.com), with a listed address of: 85th Street, and IMEI: 351365220714283. Data returned from legal process indicates that this IMEI is connected to cell phone number: 404-849-7477. Investigation also determined this cell number was used by SIMS in recent Bureau of Motor Vehicle and CPD accident report records.

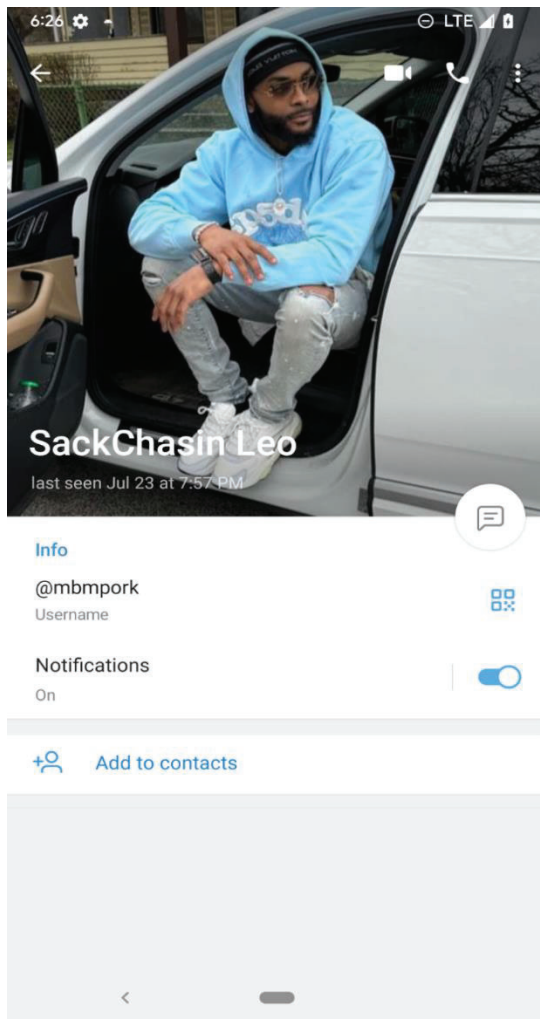
24. Specifically, on April 6, 2024, at approximately 11:15 p.m., CPD received a call of a motorist involved in a motor vehicle accident. The CPD report listed the motorist as CHRISTION SIMS, with cell phone: 404-849-7477.

25. On July 31, 2024 (two days after the VTS robbery), CHRISTION SIMS applied for a replacement Ohio Driver License with Ohio Bureau of Motor Vehicles wherein he listed his residential address as: xx65 E85th Street, Cleveland, OH and date of birth: March xx, 2001, and cell phone: 404-849-7477.

26. On August 1, 2024, SIMS purchased a 2017 Black BMW X5 bearing VIN: 5UXKR2C36H0X04634 from Empire Motors Ltd., 4200 Brookpark Road, Cleveland, OH. Empire Motors Ltd. records listed a bill of sale for this purchase with buyer: CHRISTION Y. SIMS, xx65 E85th Street, Cleveland, OH 44106, cell: 414-265-8201, OH Driver License ID: UM641672, Date of Birth: 3/xx/01 and a purchase price \$17,025. Sims purchased this car with cash. Video footage from August 1, 2024, at approximately 1:30 p.m., obtained from [motivatedbymoney93@iCloud.com](mailto:motivatedbymoney93@iCloud.com), captures a portion of the purchase of this vehicle. Depicted in this video footage is a clerk sitting at her desk at the car dealership counting out a large stack of cash. Your Affiant recognized the office depicted in the video as being the office at Empire Motors. Your Affiant has traveled to Empire Motors as part of this investigation and is familiar with the space.



27. Open-source checks also showed 404-849-7477 as being associated with the Telegram account @mbmpork.



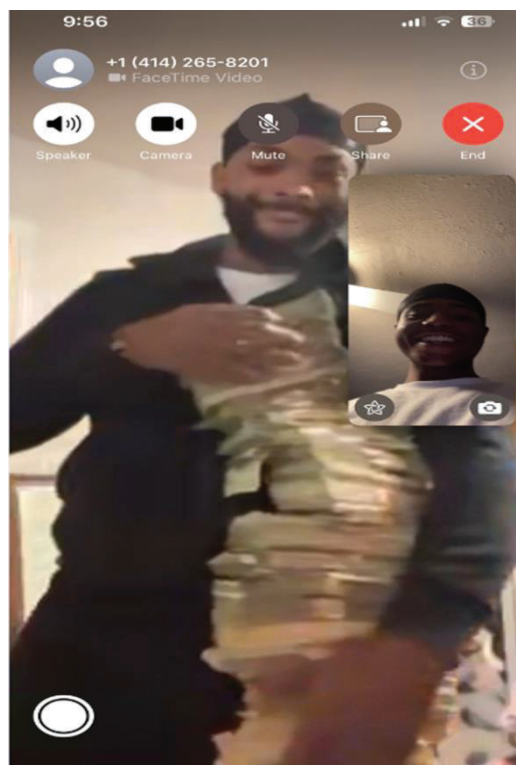
28. SIMS' cell phone 404-849-7477 first connected to the Durango on July 18, 2024, at the approximate time of the vehicle theft (July 18, 2024, at approximately 4:24 a.m.), through the day of the robbery (July 29, 2024), and disconnected from the Durango soon after the robbery on July 29, 2024, at approximately 4:51 p.m.

29. The search warrant results for [motivatedbymoney93@iCloud.com](mailto:motivatedbymoney93@iCloud.com) revealed that on July 29, 2024, at approximately 8:00 p.m., a device backup for a phone, IMEI 354798782038021 indicated that the owner of iCloud account [motivatedbymoney93@iCloud.com](mailto:motivatedbymoney93@iCloud.com) had activated a new cell phone and connected it to his iCloud account motivatedbymoney93@iCloud.com. The back up of that device showed text messages to this device from Verizon stating, *"Free Verizon Msg: Free Verizon Msg: Welcome to Verizon! Here's your number 414-265-8201. Your \$60.00 monthly plan is ready to use and will be good through 08/28/2024. Manage your account and to view your progress toward your first loyalty discount with the My Verizon app m.vzw.com/m/prepaid."*

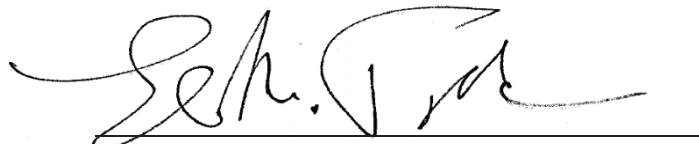
30. The following photos were recovered from iCloud account [motivatedbymoney93@iCloud.com](mailto:motivatedbymoney93@iCloud.com). Metadata from these photos reveals that they were originally created on July 29, 2024, at approximately 9:52 p.m. The individual depicted in the photos is holding a large sum of banded and unbanded cash and is wearing a black head covering, a black hooded sweatshirt and black sweatpants. The individual depicted in these photographs appears to be the same individual in the OHLEG (OBMV driver license) photo for CHRISTION SIMS (far right). A sample of these images are attached below.



31. The iCloud return for [motivatedbymoney93@iCloud.com](mailto:motivatedbymoney93@iCloud.com) revealed that on July 29, 2024, at approximately 10:00 p.m., another phone number sent 414-265-8201 (new Verizon number activated on July 29, 2024, at 8:00 p.m. and referenced in paragraph 29, herein and saved in the iCloud account of motivatedbymoney93@iCloud.com as “MBM Pork”) images taken during a Facetime call. These images follow below.

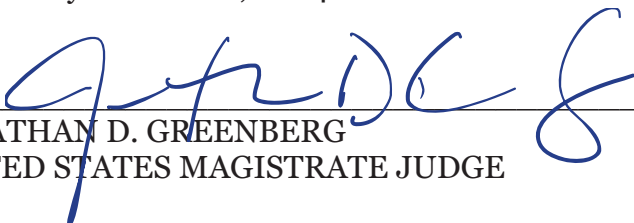


29. Based on the foregoing, there is probable cause to believe that on July 29, 2024, , CHRISTION YARNELL SIMS, along with others, did, obstruct, delay or affect commerce or the movement of any article or commodity in commerce, by robbery of Vantage Technical Services employees, and contractors at Lucky's Quick Stop, 1082 East 105<sup>th</sup> Street, Cleveland, Ohio, of \$333,300.00 in U.S. Currency by force and violence, and intimidation in violation of 18 U.S.C. 1951 & 2; that CHRISTION YARNELL SIMS did brandish a firearm during the commission of this robbery, in violation of 18 U.S.C. 924(c)(1)(A)(ii) & 2; and that CHRISTION YARNELL SIMS did, with the intent to cause death or serious bodily harm, take a motor vehicle that was transported, shipped, or received in interstate or foreign commerce from the person or presence of VTS employees by force, violence or intimidation, and did thereby commit a violation of 18 U.S.C. 2119(a) & 2, that is Carjacking.



Eric Toole  
Special Agent  
FBI

Sworn to via telephone after submission by reliable electronic means. Fed. R. Crim. P. 4.1 and 41(d)(3) on the 18<sup>th</sup> day of October, 2024.



JONATHAN D. GREENBERG  
UNITED STATES MAGISTRATE JUDGE

10-18-2024  
DATE

